REMARKS

This amendment is submitted in response to the Office Action dated October 19, 2007. Claims 10-32 remain pending in the application prior to this amendment and stand rejected. Claims 11-19 and 23 have been amended, and claims 10 and 20-22 have been canceled.

Applicants thank Examiners Cachet I. Sellman and William P. Fletcher, III for the courtesies extended to Applicants' representative, David W. Dorton, during the personal interview conducted January 17, 2008. During the interview, independent claim 23 was discussed with respect to the references of record. Applicants' representative explained the deficiencies of the applied references, as discussed more fully below, and the Examiner agreed that the rejections would be withdrawn upon submission of Applicants' written response. Applicants respectfully request reconsideration in view of the personal interview and the amendments and remarks herein.

As an initial matter, Applicants note that the Office Action Summary indicates that claims 10-32 stand rejected. The detailed action, however, fails to recite specific substantive rejections of claims 15, 20, and 26. Applicants therefore presume that claims 15, 20, and 26 are allowable. If this presumption is incorrect, Applicants request that the Examiner contact the undersigned to resolve the matter.

Rejections under 35 U.S.C. § 103

Claims 10-14, 16, 17, 23, 25, and 27 stand rejected as being unpatentable over PCT Publication No. WO/ 01/79111 to Bright in view of U.S. Patent No. 5,406,315 to Allen et al. Claim 10 has been canceled, and claims 11-19 have been amended to

depend from claim 23. Claim 23 was also amended to clarify that setting a system condition is performed by the controller. Claim 23 is therefore the only independent claim of this rejected group. Applicants respectfully traverse the rejection of claim 23 because Bright '111 fails to disclose each and every element recited in claim 23, and persons skilled in the art would not have looked to Allen '315 to solve the problems addressed by the present invention.

Bright '111 is directed to a method and apparatus for continuous application of hot-melt adhesive. Bright '111 discloses a conventional controller that manages the operation of the system, however, Bright '111 is silent on how any system conditions are set. At page 8, lines 27-28, Bright '111 indicates that controller 60 is preferably a programmed data processing system, such as a personal computer. Accordingly, Bright '111 suffers the very drawbacks of relying on manual setting of system conditions that the present invention seeks to overcome. The received information referred to in the Office Action (height of adhesive in the tank, color of the adhesive, temperature or viscosity of the adhesive)(see Office Action at page 3, item 5) are parameters that are measured by sensors to indicate the current state of the adhesive. While these parameters may be compared with predetermined values, Bright '111 does not indicate that such values are set other than by the convention manual method. Accordingly, Bright '111 does not disclose:

> wirelessly receiving information from a machine readable element regarding a hot melt adhesive to be dispensed,
>
> the controller utilizing the received information to set a system condition of the hot melt adhesive dispensing system, and

operating the hot melt adhesive dispensing system according to the system condition to dispense the hot melt adhesive.

Allen '315 is directed to a system and method for regulating the temperature and ink level in an ink jet printer cartridge. The focus of Allen '315 is an arrangement wherein a single sensor is able to sense both the temperature and the level of the ink in the cartridge. In ink jet printing, the print head is provided on the replaceable ink cartridge itself and is replaced with the cartridge when ink is replenished. (See, for example, Allen '315 at FIGS. 3B, 3C, and 6.) The printer controller needs information for operating each print head so the controller and print head can work together to eject ink. With regard to barcodes, Allen '315 discloses that "[t]hese barcodes may be used to encode information about printhead operating energy, ink color and other parameters to be used by the printer controller." (Allen '315 at col. 6, lines 65-68.)

In contrast, the dispensing modules of a hot melt adhesive dispensing system are not part of the bulk adhesive containers and are not replaced each time hot melt adhesive is replenished. Considering these differences between ink jet printing art and hot melt adhesive dispensing art, one of ordinary skill in the hot melt adhesive dispensing art would not conclude that a modification of Bright '111 in view of Allen '315 would be necessary or even desirable. Allen '315 does not disclose substituting information read from a barcode for manually entered operating conditions, and does not disclose how this could even be done. Accordingly, persons skilled in the art of adhesive dispensing systems would not have looked to Allen '315 to find a solution for improving the manually input operating conditions of a hot melt adhesive system. For at

least the reasons discussed above, Applicants respectfully request that the rejection of claim 23 over Bright 111 in view of Allen '315 be withdrawn.

Claims 11-14, 16, 17, 25, and 27 each depend from claim 23 and are in condition for allowance for at least the reasons discussed above for claim 23. Accordingly, Applicants respectfully request that the rejections of claims 11-14, 16, 17, 25, and 27 over Bright 111 in view of Allen '315 be withdrawn.

Claims 10, 16, 18, 21-23, and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,719,378 to Jackson, Jr. et al. in view U.S. Publication No. US 2004/0222300 to Strickland. Applicants have canceled claims 10, 21, and 22 making the rejections of these claims moot. Claim 23 is the only independent claim remaining in this rejected group. Applicants respectfully traverse the rejection of claim 23 because Jackson '378 fails to disclose each and every element recited in claim 23, and the combination with Strickland '300 fails to cure these deficiencies.

The Examiner admits that Jackson '378 "does not teach wirelessly receiving information on at least one system condition into the controller from a machine readable element and using information during the operation of the melting unit." (Office Action page 5, paragraph 2.) Jackson '378 also does not disclose utilizing the received information to set a system condition or operating the hot melt adhesive dispensing system according to the system condition to dispense adhesive, as claimed.

Jackson '378 is directed to a self-calibrating temperature controller adapted for use in controlling the temperature of hot-melt adhesive dispensed from an adhesive supply unit. At column 7, line 20, Jackson '378 states that "the temperature set points

corresponding to each of the five zones will be initially entered via the pushkeys 18 and 20 on the keypad layout 12." Jackson '378 therefore describes manual setting of the temperature set points and does not recognize or suggest any problem associated with such manual setting.

The Examiner looks to Strickland '300 to cure the deficiencies of Jackson '378. Strickland '300 is a published U.S. patent application filed in April 5, 2004. The filing date of Applicants' application is October 31, 2003. Therefore, absent proper reliance on an earlier U.S. priority date, Strickland '300 cannot be relied on to reject claims. While Strickland '300 claims priority to Provisional Patent Application Serial No. 60/461702 ("the '702 Application"), the '702 Application fails to disclose the subject matter of Strickland '300 that is relied upon in the rejections. A copy of the '702 Application is attached hereto as Exhibit A.

The '702 Application relates to a method for automatic setup configuration of computer numerical controls using a database. In the abstract, the '702 Application describes the method as "an inexpensive means for automating the transfer of configuration information from the vendor to a machine being constructed of component parts." (Emphasis added.) At page 2, lines 13-14, the '702 Application states that "after the barcode has been read, the information stored in the barcode is retrieved for the appropriate configuration items." The focus of the '702 Application, therefore, is to facilitate the assembly of machine tool components by using barcodes to dictate how the components are to be arranged.

The '702 Application also vaguely describes two "[o]ther uses for use of barcode information in a machine tool environment. . . ." (See the '702 Application, unnumbered

page before the figures.) The first use is "[d]ownloading and executing part programs based on a barcode on the incoming part." While the '702 Application does not describe what the part programs do, it appears that the programs are to be executed based on the particular part to be made. This is not the same as receiving information regarding material that is dispensed, such as hot melt adhesive, using the information to set a system condition, and operating the system according to the system condition to dispense the material.

The second use of barcode information in a machine tool environment is "[d]ownloading tool information based on a barcode on the tool. The tool is then associated with a pocket and can be called using a unique identifier by an executing part program." (Id.) At most, this portion of the '702 Application merely suggests using barcode information to determine a location for storing a tool and does not disclose receiving information regarding a hot melt adhesive to be dispensed, utilizing the information to set a system condition, or operating according to the system condition as set forth in claim 23.

For at least the reasons discussed above, Applicants assert that the '702 Application fails to cure the deficiencies of Jackson '378. Applicants therefore respectfully request that the rejection of claim 23 over Jackson '378 in view of Strickland '300 be withdrawn.

Claim Claims 16, 18, 23, and 25 each depend from claim 23 and are in condition for allowance for at least the same reasons discussed above. Applicants further traverse the rejection of claim 18 because the '702 application only describes looking up information "in a database stored either on the mass storage device of the control or

available through the Internet." (Second unnumbered page of the '702 Application before the drawings.)(Emphasis added.) Consequently, the '702 application does not describe "logging the wirelessly received information into a database" as recited in claim 18. For at least these reasons, Applicants respectfully request that the rejections of claims 16, 18, 23, and 25 over Jackson '378 in view of Strickland '300be withdrawn.

Claims 19 and claim 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Jackson '378 and Strickland '300 in further view of U.S. Patent No. 6,190,739 to Höffer et al. Amended claim 19 and claim 24 each depend from claim 23. Höffer '739 is directed to a lacquering line and a method for lacquering products in standard or special colors. While Höffer '739 discloses use of a barcode on a container pertaining to a lacquer, it fails to disclose or suggest receiving information regarding a hot melt adhesive, utilizing the information in a controller to set a system condition of the hot melt adhesive dispensing system, or operating the system according to the system condition to dispense the hot melt adhesive. Thus, Höffer '739 fails to cure the deficiencies of Jackson '378 and Strickland '300 discussed above. Accordingly, Applicants respectfully request that the rejections of claims 19 and 24 be withdrawn.

Claims 28-32 stand rejected over Jackson '378 in view of Strickland '300 and Höffer '739, in further view of U.S. Patent No. 7,012,530 to Droz. Claims 28-32 each depend directly or indirectly from claim 23. Droz '530 is directed to electronic labels for use on metallic objects. The Office Action states "Droz teaches that labels with electronic chips are replacing labels with barcodes in automatic manufacturing cycles and it allows identification of the object." (See Office Action, page 7, 4th paragraph.)

However, Droz '530 at least fails to suggest receiving information regarding a hot melt adhesive to be dispensed, utilizing the received information to set a system condition, or operating according to the system condition to dispense the hot melt adhesive. Thus, Droz '530 fails to cure the deficiencies of the alleged combination of Jackson '378, Strickland '300, and Höffer '739 for at least the reasons discussed above. Accordingly, Applicants respectfully request that the rejections of claims 28-32 be withdrawn.

Conclusion

In view of the personal interview, the foregoing amendments to the claims, and the remarks set forth herein, Applicants believe this application is in condition for allowance and respectfully request allowance of the pending claims. If the Examiner believes any matter requires further discussion, the Examiner is respectfully asked to telephone the undersigned attorney so that the issue may be promptly resolved. The Examiner's prompt attention to this matter is appreciated.

Applicants do not believe that any fees are due in connection with this response. However, if such petition is due or any fees are necessary, the Commissioner may consider this to be a request for such and charge any necessary fees to deposit account 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202
(513) 241-2324
(513)421-7269 (facsimile)

/David W. Dorton/
David W. Dorton, Reg. No. 51,625